

I certify this to be a true and correct  
copy of the indicated document as  
referred or transmitted to committee.

Chief Clerk of the House

FILED NOV 18 2002

By: Hamrick

H.J.R. No. 21

A JOINT RESOLUTION

1 proposing a constitutional amendment to prohibit an increase in the  
2 total amount of school district ad valorem taxes that may be imposed  
3 on the residence homestead of a disabled person.

4 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 1-b(d), Article VIII, Texas  
6 Constitution, is amended to read as follows:

7 (d) Except as otherwise provided by this subsection, if a  
8 person receives a ~~the~~ residence homestead exemption prescribed by  
9 Subsection (c) of this section for homesteads of persons who are  
10 sixty-five (65) years of age or older or who are disabled, the total  
11 amount of ad valorem taxes imposed on that homestead for general  
12 elementary and secondary public school purposes may not be  
13 increased while it remains the residence homestead of that person  
14 or that person's spouse who receives the exemption. If a person  
15 sixty-five (65) years of age or older dies in a year in which the  
16 person received the exemption, the total amount of ad valorem taxes  
17 imposed on the homestead for general elementary and secondary  
18 public school purposes may not be increased while it remains the  
19 residence homestead of that person's surviving spouse if the spouse  
20 is fifty-five (55) years of age or older at the time of the person's  
21 death, subject to any exceptions provided by general law. The  
22 legislature, by general law, may provide for the transfer of all or  
23 a proportionate amount of a limitation provided by this subsection  
24 for a person who qualifies for the limitation and establishes a

1 different residence homestead. However, taxes otherwise limited by  
2 this subsection may be increased to the extent the value of the  
3 homestead is increased by improvements other than repairs or  
4 improvements made to comply with governmental requirements and  
5 except as may be consistent with the transfer of a limitation under  
6 this subsection. For a residence homestead subject to the  
7 limitation provided by this subsection in the 1996 tax year or an  
8 earlier tax year, the legislature shall provide for a reduction in  
9 the amount of the limitation for the 1997 tax year and subsequent  
10 tax years in an amount equal to \$10,000 multiplied by the 1997 tax  
11 rate for general elementary and secondary public school purposes  
12 applicable to the residence homestead.

13 SECTION 2. The following temporary provision is added to  
14 the Texas Constitution:

15 TEMPORARY PROVISION. (a) This temporary provision applies to  
16 the constitutional amendment proposed by \_\_J.R. No. \_\_, 78th  
17 Legislature, Regular Session, 2003, and expires January 2, 2004.

18 (b) The amendment to Section 1-b(d), Article VIII, of this  
19 constitution takes effect beginning with the tax year that begins  
20 January 1, 2004.

21 SECTION 3. This proposed constitutional amendment shall be  
22 submitted to the voters at an election to be held November 4, 2003.  
23 The ballot shall be printed to permit voting for or against the  
24 proposition: "The constitutional amendment to prohibit an  
25 increase in the total amount of school district ad valorem taxes  
26 that may be imposed on the residence homestead of a disabled  
27 person."

# HOUSE COMMITTEE REPORT

1<sup>st</sup> Printing

By: Hamric

H.J.R. No. 21

## A JOINT RESOLUTION

1 proposing a constitutional amendment to prohibit an increase in the  
2 total amount of school district ad valorem taxes that may be imposed  
3 on the residence homestead of a disabled person.

4 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 1-b(d), Article VIII, Texas  
6 Constitution, is amended to read as follows:

7 (d) Except as otherwise provided by this subsection, if a  
8 person receives a ~~[the]~~ residence homestead exemption prescribed by  
9 Subsection (c) of this section for homesteads of persons who are  
10 sixty-five (65) years of age or older or who are disabled, the total  
11 amount of ad valorem taxes imposed on that homestead for general  
12 elementary and secondary public school purposes may not be  
13 increased while it remains the residence homestead of that person  
14 or that person's spouse who receives the exemption. If a person  
15 sixty-five (65) years of age or older dies in a year in which the  
16 person received the exemption, the total amount of ad valorem taxes  
17 imposed on the homestead for general elementary and secondary  
18 public school purposes may not be increased while it remains the  
19 residence homestead of that person's surviving spouse if the spouse  
20 is fifty-five (55) years of age or older at the time of the person's  
21 death, subject to any exceptions provided by general law. The  
22 legislature, by general law, may provide for the transfer of all or  
23 a proportionate amount of a limitation provided by this subsection  
24 for a person who qualifies for the limitation and establishes a

different residence homestead. However, taxes otherwise limited by this subsection may be increased to the extent the value of the homestead is increased by improvements other than repairs or improvements made to comply with governmental requirements and except as may be consistent with the transfer of a limitation under this subsection. For a residence homestead subject to the limitation provided by this subsection in the 1996 tax year or an earlier tax year, the legislature shall provide for a reduction in the amount of the limitation for the 1997 tax year and subsequent tax years in an amount equal to \$10,000 multiplied by the 1997 tax rate for general elementary and secondary public school purposes applicable to the residence homestead.

SECTION 2. The following temporary provision is added to the Texas Constitution:

TEMPORARY PROVISION. (a) This temporary provision applies to the constitutional amendment proposed by \_\_J.R. No. \_\_, 78th Legislature, Regular Session, 2003, and expires January 2, 2004.

(b) The amendment to Section 1-b(d), Article VIII, of this constitution takes effect beginning with the tax year that begins January 1, 2004.

SECTION 3. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 4, 2003. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment to prohibit an increase in the total amount of school district ad valorem taxes that may be imposed on the residence homestead of a disabled person."

COMMITTEE REPORT

The Honorable Tom Craddick  
 Speaker of the House of Representatives

3/28/03  
 (date)

Sir:  
 We, your COMMITTEE ON LOCAL GOVERNMENT WAYS AND MEANS  
 to whom was referred HOUSE JOINT RESOLUTION 21 have had the same under consideration and beg to report  
 back with the recommendation that it  
 ( ☒ ) do pass, without amendment.  
 ( ☐ ) do pass, with amendment(s).  
 ( ☐ ) do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.  
 ( ☒ ) yes ( ☐ ) no A fiscal note was requested.  
 ( ☐ ) yes ( ☒ ) no A criminal justice policy impact statement was requested.  
 ( ☐ ) yes ( ☒ ) no An equalized educational funding impact statement was requested.  
 ( ☐ ) yes ( ☒ ) no An actuarial analysis was requested.  
 ( ☐ ) yes ( ☒ ) no A water development policy impact statement was requested.  
 ( ☒ ) yes ( ☐ ) no A tax equity note was requested.  
 ( ☐ ) The Committee recommends that this measure be sent to the Committee on Local and Consent Calendars.

For Senate Measures: House Sponsor \_\_\_\_\_

Joint Sponsors: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

Co-Sponsors: \_\_\_\_\_

The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Hill, Chair	<input checked="" type="checkbox"/>			
Hegar, Vice-chair	<input checked="" type="checkbox"/>			
Laubenberg	<input checked="" type="checkbox"/>			
McReynolds	<input checked="" type="checkbox"/>			
Mowery	<input checked="" type="checkbox"/>			
Puente				<input checked="" type="checkbox"/>
Quintanilla	<input checked="" type="checkbox"/>			

Total  
 6 aye  
 0 nay  
 0 present, not voting  
 1 absent

[Signature]  
 CHAIR

## **BILL ANALYSIS**

H.J.R. 21

By: Hamric

Local Government Ways and Means  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Several provisions of the Tax Code provide benefits to over-65 and disabled homeowners occupying a home as their principal residence. Not all of the provisions apply to both over-65 and disabled homeowners.

The amount of the school district ad valorem taxes that can be imposed on the residence homestead of an over-65 homeowner is limited (frozen) to the amount paid in the first year the homeowner qualifies for the over-65 exemption. House Joint Resolution 21 proposed a constitutional amendment which would limit the school district ad valorem taxes paid by a disabled homeowner to the amount paid in the year the homeowner qualifies for the disabled exemption.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this resolution does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

The joint resolution proposes a constitutional amendment be submitted to the voters that would extend the limitation on the amount of the school district ad valorem taxes that can be imposed on the residence homesteads of disabled homeowners by amending Section 1-b(d), Article VIII of the Texas Constitution to add disabled individuals as persons qualifying for the limitation.

### **FOR ELECTION**

This proposed constitutional amendment shall be submitted to the voters at an election to be held November 4, 2003.

## SUMMARY OF COMMITTEE ACTION

HJR 21

March 13, 2003      8:00AM

Considered in public hearing

Testimony taken in committee (See attached witness list.)

Left pending in committee

March 28, 2003      upon first adjournment

Considered in formal meeting

Reported favorably without amendment(s)

1

2

WITNESS LIST

HJR 21  
HOUSE COMMITTEE REPORT  
Local Government Ways and Means Committee

March 13, 2003 - 8:00AM

For: Bettencourt, Hon. Paul (Self)  
Hammerlein, George (Harris County Tax Office)

LEGISLATIVE BUDGET BOARD  
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

March 12, 2003

TO: Honorable Fred Hill, Chair, House Committee on Local Government Ways and Means

FROM: John Keel, Director, Legislative Budget Board

IN RE: **HJR21** by Hamric (Proposing a constitutional amendment to prohibit an increase in the total amount of school district ad valorem taxes that may be imposed on the residence homestead of a disabled person.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HJR21, As Introduced: a negative impact of (\$85,275) through the biennium ending August 31, 2005.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2004	(\$85,275)
2005	\$0
2006	(\$2,699,000)
2007	(\$2,861,000)
2008	(\$3,033,000)

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from GENERAL REVENUE FUND 1	Probable Savings/(Cost) from FOUNDATION SCHOOL FUND 193	Probable Revenue Gain/ (Loss) from School Districts
2004	(\$85,275)	\$0	\$0
2005	\$0	\$0	(\$2,699,000)
2006	\$0	(\$2,699,000)	(\$162,000)
2007	\$0	(\$2,861,000)	(\$172,000)
2008	\$0	(\$3,033,000)	(\$182,000)

Fiscal Analysis

This resolution would propose a constitutional amendment to extend the current school property tax limitation ("tax freeze") for residence homesteads to disabled persons.

The proposed amendment would be submitted to the voters at an election to be held November 4, 2003. The amendment would take effect beginning with the 2004 tax year.

## Methodology

Section 403.302 of the Government Code requires the Comptroller to conduct a property value study to determine the total taxable value for each school district. Total taxable value is an element in the state's school funding formula. Passage of this resolution could cause a change in school district taxable values reported to the Commissioner of Education by the Comptroller and an increase in state costs to the Foundation School Fund.

Adoption of the proposed amendment would extend the school district tax ceiling on homesteads of the elderly (tax freeze) to the disabled. The fiscal impact is based on information reported by school districts to the Comptroller's office. The base year for the proposed disabled freeze would be tax year 2003. The first freeze loss would occur in tax year 2004 (fiscal 2005).

The historical value lost to the school district 65-and-over tax freeze was trended over the projection period. The reported number of disabled exemptions was compared to the number of 65-and-over exemptions to develop a percentage of disabled to 65-and-over exemptions. That percentage was multiplied by the projected value lost to the 65-and-over tax freeze to derive the estimated loss to the disabled tax freeze, as if the disabled tax freeze had always been available under current law. This hypothetical disabled tax freeze was trended upward over the projection. Each year's incremental loss to the disabled tax freeze was estimated by subtracting each year's projected loss from the next year's projected loss.

The incremental losses to the disabled freeze represent the school district value loss. The weighted average school tax rate was applied to the incremental loss to the disabled tax freeze to estimate the school district loss. School district losses are absorbed by the state after a one-year lag, through the operation of the school funding formulas.

The cost to the state for publication of the resolution is \$85,275.

## Local Government Impact

The impact to units of local government is shown in the above tables.

**Source Agencies:** 304 Comptroller Of Public Accounts

**LBB Staff:** JK, JO, SD, WP, DLBe

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**TAX/FEE EQUITY NOTE**

**78TH LEGISLATIVE REGULAR SESSION**

**February 21, 2003**

**TO: Honorable Fred Hill, Chair, House Committee on Local Government Ways and Means**

**FROM: John Keel, Director, Legislative Budget Board**

**IN RE: HJR21** by Hamric (Proposing a constitutional amendment to prohibit an increase in the total amount of school district ad valorem taxes that may be imposed on the residence homestead of a disabled person.), **As Introduced**

Because the bill would not create or impact a state tax or fee, no comment from this office is required by the rules of the House as to the general effects of the proposal on the distribution of tax and fee burdens among individuals and businesses.

**Source Agencies:**

**LBB Staff:** JK, SJS

# HOUSE ENGROSSMENT

By: Hamric, Wohlgemuth, Menendez

H.J.R. No. 21

## A JOINT RESOLUTION

1 proposing a constitutional amendment to prohibit an increase in the  
2 total amount of school district ad valorem taxes that may be imposed  
3 on the residence homestead of a disabled person.

4 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 1-b(d), Article VIII, Texas  
6 Constitution, is amended to read as follows:

7 (d) Except as otherwise provided by this subsection, if a  
8 person receives a ~~[the]~~ residence homestead exemption prescribed by  
9 Subsection (c) of this section for homesteads of persons who are  
10 sixty-five (65) years of age or older or who are disabled, the total  
11 amount of ad valorem taxes imposed on that homestead for general  
12 elementary and secondary public school purposes may not be  
13 increased while it remains the residence homestead of that person  
14 or that person's spouse who receives the exemption. If a person  
15 sixty-five (65) years of age or older dies in a year in which the  
16 person received the exemption, the total amount of ad valorem taxes  
17 imposed on the homestead for general elementary and secondary  
18 public school purposes may not be increased while it remains the  
19 residence homestead of that person's surviving spouse if the spouse  
20 is fifty-five (55) years of age or older at the time of the person's  
21 death, subject to any exceptions provided by general law. The  
22 legislature, by general law, may provide for the transfer of all or  
23 a proportionate amount of a limitation provided by this subsection  
24 for a person who qualifies for the limitation and establishes a

1 different residence homestead. However, taxes otherwise limited by  
2 this subsection may be increased to the extent the value of the  
3 homestead is increased by improvements other than repairs or  
4 improvements made to comply with governmental requirements and  
5 except as may be consistent with the transfer of a limitation under  
6 this subsection. For a residence homestead subject to the  
7 limitation provided by this subsection in the 1996 tax year or an  
8 earlier tax year, the legislature shall provide for a reduction in  
9 the amount of the limitation for the 1997 tax year and subsequent  
10 tax years in an amount equal to \$10,000 multiplied by the 1997 tax  
11 rate for general elementary and secondary public school purposes  
12 applicable to the residence homestead.

13 SECTION 2. The following temporary provision is added to  
14 the Texas Constitution:

15 TEMPORARY PROVISION. (a) This temporary provision applies to  
16 the constitutional amendment proposed by H.J.R. No. 21, 78th  
17 Legislature, Regular Session, 2003, and expires January 2, 2004.

18 (b) The amendment to Section 1-b(d), Article VIII, of this  
19 constitution takes effect beginning with the tax year that begins  
20 January 1, 2004.

21 SECTION 3. This proposed constitutional amendment shall be  
22 submitted to the voters at an election to be held November 4, 2003.  
23 The ballot shall be printed to permit voting for or against the  
24 proposition: "The constitutional amendment to prohibit an  
25 increase in the total amount of school district ad valorem taxes  
26 that may be imposed on the residence homestead of a disabled  
27 person."

**LEGISLATIVE BUDGET BOARD**

Austin, Texas

**FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION**

March 12, 2003

**TO:** Honorable Fred Hill, Chair, House Committee on Local Government Ways and Means

**FROM:** John Keel, Director, Legislative Budget Board

**IN RE:** **HJR21** by Hamric (Proposing a constitutional amendment to prohibit an increase in the total amount of school district ad valorem taxes that may be imposed on the residence homestead of a disabled person.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HJR21, As Introduced: a negative impact of (\$85,275) through the biennium ending August 31, 2005.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

**General Revenue-Related Funds, Five-Year Impact:**

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2004	(\$85,275)
2005	\$0
2006	(\$2,699,000)
2007	(\$2,861,000)
2008	(\$3,033,000)

**All Funds, Five-Year Impact:**

Fiscal Year	Probable Savings/(Cost) from GENERAL REVENUE FUND 1	Probable Savings/(Cost) from FOUNDATION SCHOOL FUND 193	Probable Revenue Gain/ (Loss) from School Districts
2004	(\$85,275)	\$0	\$0
2005	\$0	\$0	(\$2,699,000)
2006	\$0	(\$2,699,000)	(\$162,000)
2007	\$0	(\$2,861,000)	(\$172,000)
2008	\$0	(\$3,033,000)	(\$182,000)

**Fiscal Analysis**

This resolution would propose a constitutional amendment to extend the current school property tax limitation ("tax freeze") for residence homesteads to disabled persons.

The proposed amendment would be submitted to the voters at an election to be held November 4, 2003. The amendment would take effect beginning with the 2004 tax year.

## **Methodology**

Section 403.302 of the Government Code requires the Comptroller to conduct a property value study to determine the total taxable value for each school district. Total taxable value is an element in the state's school funding formula. Passage of this resolution could cause a change in school district taxable values reported to the Commissioner of Education by the Comptroller and an increase in state costs to the Foundation School Fund.

Adoption of the proposed amendment would extend the school district tax ceiling on homesteads of the elderly (tax freeze) to the disabled. The fiscal impact is based on information reported by school districts to the Comptroller's office. The base year for the proposed disabled freeze would be tax year 2003. The first freeze loss would occur in tax year 2004 (fiscal 2005).

The historical value lost to the school district 65-and-over tax freeze was trended over the projection period. The reported number of disabled exemptions was compared to the number of 65-and-over exemptions to develop a percentage of disabled to 65-and-over exemptions. That percentage was multiplied by the projected value lost to the 65-and-over tax freeze to derive the estimated loss to the disabled tax freeze, as if the disabled tax freeze had always been available under current law. This hypothetical disabled tax freeze was trended upward over the projection. Each year's incremental loss to the disabled tax freeze was estimated by subtracting each year's projected loss from the next year's projected loss.

The incremental losses to the disabled freeze represent the school district value loss. The weighted average school tax rate was applied to the incremental loss to the disabled tax freeze to estimate the school district loss. School district losses are absorbed by the state after a one-year lag, through the operation of the school funding formulas.

The cost to the state for publication of the resolution is \$85,275.

## **Local Government Impact**

The impact to units of local government is shown in the above tables.

**Source Agencies:** 304 Comptroller Of Public Accounts

**LBB Staff:** JK, JO, SD, WP, DLBe

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**TAX/FEE EQUITY NOTE**

**78TH LEGISLATIVE REGULAR SESSION**

**February 21, 2003**

**TO:** Honorable Fred Hill, Chair, House Committee on Local Government Ways and Means

**FROM:** John Keel, Director, Legislative Budget Board

**IN RE: HJR21** by Hamric (Proposing a constitutional amendment to prohibit an increase in the total amount of school district ad valorem taxes that may be imposed on the residence homestead of a disabled person.), **As Introduced**

Because the bill would not create or impact a state tax or fee, no comment from this office is required by the rules of the House as to the general effects of the proposal on the distribution of tax and fee burdens among individuals and businesses.

**Source Agencies:**

**LBB Staff:** JK, SJS

top 3

1-1 By: Hamric, Wohlgemuth, Menendez H.J.R. No. 21  
1-2 (Senate Sponsor - Van de Putte)  
1-3 (In the Senate - Received from the House April 30, 2003;  
1-4 May 7, 2003, read first time and referred to Committee on Finance;  
1-5 May 23, 2003, reported favorably by the following vote: Yeas 10,  
1-6 Nays 0; May 23, 2003, sent to printer.)

1-7 HOUSE JOINT RESOLUTION

1-8 proposing a constitutional amendment to prohibit an increase in the  
1-9 total amount of school district ad valorem taxes that may be imposed  
1-10 on the residence homestead of a disabled person.

1-11 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Section 1-b(d), Article VIII, Texas  
1-13 Constitution, is amended to read as follows:

1-14 (d) Except as otherwise provided by this subsection, if a  
1-15 person receives a ~~the~~ residence homestead exemption prescribed by  
1-16 Subsection (c) of this section for homesteads of persons who are  
1-17 sixty-five (65) years of age or older or who are disabled, the total  
1-18 amount of ad valorem taxes imposed on that homestead for general  
1-19 elementary and secondary public school purposes may not be  
1-20 increased while it remains the residence homestead of that person  
1-21 or that person's spouse who receives the exemption. If a person  
1-22 sixty-five (65) years of age or older dies in a year in which the  
1-23 person received the exemption, the total amount of ad valorem taxes  
1-24 imposed on the homestead for general elementary and secondary  
1-25 public school purposes may not be increased while it remains the  
1-26 residence homestead of that person's surviving spouse if the spouse  
1-27 is fifty-five (55) years of age or older at the time of the person's  
1-28 death, subject to any exceptions provided by general law. The  
1-29 legislature, by general law, may provide for the transfer of all or  
1-30 a proportionate amount of a limitation provided by this subsection  
1-31 for a person who qualifies for the limitation and establishes a  
1-32 different residence homestead. However, taxes otherwise limited by  
1-33 this subsection may be increased to the extent the value of the  
1-34 homestead is increased by improvements other than repairs or  
1-35 improvements made to comply with governmental requirements and  
1-36 except as may be consistent with the transfer of a limitation under  
1-37 this subsection. For a residence homestead subject to the  
1-38 limitation provided by this subsection in the 1996 tax year or an  
1-39 earlier tax year, the legislature shall provide for a reduction in  
1-40 the amount of the limitation for the 1997 tax year and subsequent  
1-41 tax years in an amount equal to \$10,000 multiplied by the 1997 tax  
1-42 rate for general elementary and secondary public school purposes  
1-43 applicable to the residence homestead.

1-44 SECTION 2. The following temporary provision is added to  
1-45 the Texas Constitution:

1-46 TEMPORARY PROVISION. (a) This temporary provision applies to  
1-47 the constitutional amendment proposed by H.J.R. No. 21, 78th  
1-48 Legislature, Regular Session, 2003, and expires January 2, 2004.

1-49 (b) The amendment to Section 1-b(d), Article VIII, of this  
1-50 constitution takes effect beginning with the tax year that begins  
1-51 January 1, 2004.

1-52 SECTION 3. This proposed constitutional amendment shall be  
1-53 submitted to the voters at an election to be held November 4, 2003.  
1-54 The ballot shall be printed to permit voting for or against the  
1-55 proposition: "The constitutional amendment to prohibit an  
1-56 increase in the total amount of school district ad valorem taxes  
1-57 that may be imposed on the residence homestead of a disabled  
1-58 person."

1-59 \* \* \* \* \*

FAVORABLE  
SENATE COMMITTEE REPORT ON

SB SCR SJR SR HB HCR HJR 21  
By Vande Putte  
(Author/Senate Sponsor)  
5-23-03  
(date)

Sir:

We, your Committee on FINANCE, to which was referred the attached measure,  
have on 5-22-03, had the same under consideration and I am instructed to report it  
(date of hearing)  
back with the recommendation (s) that it:

☒ do pass and be printed

☐ do pass and be ordered not printed

☐ and is recommended for placement on the Local and Uncontested Bills Calendar.

A fiscal note was requested. ☒ yes ☐ no

A revised fiscal note was requested. ☐ yes ☒ no

An actuarial analysis was requested. ☐ yes ☒ no

Considered by subcommittee. ☐ yes ☒ no

The measure was reported from Committee by the following vote:

	YEA	NAY	ABSENT	PNV
Senator Bivins, Chair	<input checked="" type="checkbox"/>			
Senator Zaffirini, Vice Chair	<input checked="" type="checkbox"/>			
Senator Averitt	<input checked="" type="checkbox"/>			
Senator Barrientos	<input checked="" type="checkbox"/>			
Senator Brimer			<input checked="" type="checkbox"/>	
Senator Duncan	<input checked="" type="checkbox"/>			
Senator Janek			<input checked="" type="checkbox"/>	
Senator Nelson	<input checked="" type="checkbox"/>			
Senator Ogden			<input checked="" type="checkbox"/>	
Senator Shapiro			<input checked="" type="checkbox"/>	
Senator Shapleigh	<input checked="" type="checkbox"/>			
Senator Staples			<input checked="" type="checkbox"/>	
Senator West	<input checked="" type="checkbox"/>			
Senator Whitmire	<input checked="" type="checkbox"/>			
Senator Williams	<input checked="" type="checkbox"/>			
TOTAL VOTES	<u>10</u>		<u>5</u>	

COMMITTEE ACTION

S260 Considered in public hearing

S270 Testimony taken

Stephanie Hoover  
COMMITTEE CLERK

Bri  
CHAIR

Paper clip the original and one copy of this signed form to the original bill  
Retain one copy of this form for Committee files

## **BILL ANALYSIS**

Senate Research Center

H.J.R. 21  
By: Hamric, et al. (Van de Putte)  
Finance  
5/20/2003  
Engrossed

### **DIGEST AND PURPOSE**

Several provisions of the Tax Code provide benefits to over-65 and disabled homeowners occupying a home as their principal residence. Not all of the provisions apply to both over-65 and disabled homeowners. The amount of the school district ad valorem taxes that can be imposed on the residence homestead of an over-65 homeowner is limited (frozen) to the amount paid in the first year the homeowner qualifies for the over-65 exemption. H.J.R. 21 proposed a constitutional amendment which would limit the school district ad valorem taxes paid by a disabled homeowner to the amount paid in the year the homeowner qualifies for the disabled exemption.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 1-b(d), Article VIII, Texas Constitution, to prohibit the total amount of ad valorem taxes imposed on a homestead for general elementary and secondary public school purposes from being increased while it remains the residence homestead of the person or the person's spouse who receives the exemption, if a person receives a, rather than the, residence homestead exemption prescribed by Subsection (c) of this section for homesteads of persons who are sixty-five years of age or older or who are disabled, except as otherwise provided by this subsection.

SECTION 2. TEMPORARY PROVISION. (a) Provides that this temporary provision applies to the constitutional amendment proposed by H.J.R. No. 21, 78th Legislature, Regular Session, 2003, and expires January 2, 2004.

(b) Provides that the amendment to Section 1-b(d), Article VIII, of this constitution takes effect beginning with the tax year that begins January 1, 2004.

SECTION 3. Requires this proposed constitutional amendment to be submitted to the voters at an election to be held November 4, 2003. Requires the ballot to be printed to permit voting for or against a certain proposition.

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION**

**May 7, 2003**

**TO:** Honorable Teel Bivins, Chair, Senate Committee on Finance

**FROM:** John Keel, Director, Legislative Budget Board

**IN RE: HJR21** by Hamric (Proposing a constitutional amendment to prohibit an increase in the total amount of school district ad valorem taxes that may be imposed on the residence homestead of a disabled person.), **As Engrossed**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HJR21. As Engrossed: a negative impact of (\$85,275) through the biennium ending August 31, 2005.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

**General Revenue-Related Funds, Five-Year Impact:**

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2004	(\$85,275)
2005	\$0
2006	(\$2,699,000)
2007	(\$2,861,000)
2008	(\$3,033,000)

**All Funds, Five-Year Impact:**

Fiscal Year	Probable Savings/(Cost) from <i>GENERAL REVENUE FUND 1</i>	Probable Savings/(Cost) from <i>FOUNDATION SCHOOL FUND 193</i>	Probable Revenue Gain/ (Loss) from <i>School Districts</i>
2004	(\$85,275)	\$0	\$0
2005	\$0	\$0	(\$2,699,000)
2006	\$0	(\$2,699,000)	(\$162,000)
2007	\$0	(\$2,861,000)	(\$172,000)
2008	\$0	(\$3,033,000)	(\$182,000)

**Fiscal Analysis**

This resolution would propose a constitutional amendment to extend the current school property tax limitation ("tax freeze") for residence homesteads to disabled persons.

The proposed amendment would be submitted to the voters at an election to be held November 4, 2003. The amendment would take effect beginning with the 2004 tax year.

## **Methodology**

Section 403.302 of the Government Code requires the Comptroller to conduct a property value study to determine the total taxable value for each school district. Total taxable value is an element in the state's school funding formula. Passage of this resolution could cause a change in school district taxable values reported to the Commissioner of Education by the Comptroller and an increase in state costs to the Foundation School Fund.

Adoption of the proposed amendment would extend the school district tax ceiling on homesteads of the elderly (tax freeze) to the disabled. The fiscal impact is based on information reported by school districts to the Comptroller's office. The base year for the proposed disabled freeze would be tax year 2003. The first freeze loss would occur in tax year 2004 (fiscal 2005).

The historical value lost to the school district 65-and-over tax freeze was trended over the projection period. The reported number of disabled exemptions was compared to the number of 65-and-over exemptions to develop a percentage of disabled to 65-and-over exemptions. That percentage was multiplied by the projected value lost to the 65-and-over tax freeze to derive the estimated loss to the disabled tax freeze, as if the disabled tax freeze had always been available under current law. This hypothetical disabled tax freeze was trended upward over the projection. Each year's incremental loss to the disabled tax freeze was estimated by subtracting each year's projected loss from the next year's projected loss.

The incremental losses to the disabled freeze represent the school district value loss. The weighted average school tax rate was applied to the incremental loss to the disabled tax freeze to estimate the school district loss. School district losses are absorbed by the state after a one-year lag, through the operation of the school funding formulas.

The cost to the state for publication of the resolution is \$85,275.

## **Local Government Impact**

The impact to units of local government is shown in the above tables.

**Source Agencies:** 304 Comptroller of Public Accounts

**LBB Staff:** JK, JO, SD, WP, DLBe

LEGISLATIVE BUDGET BOARD  
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

March 12, 2003

TO: Honorable Fred Hill, Chair, House Committee on Local Government Ways and Means

FROM: John Keel, Director, Legislative Budget Board

IN RE: **HJR21** by Hamric (Proposing a constitutional amendment to prohibit an increase in the total amount of school district ad valorem taxes that may be imposed on the residence homestead of a disabled person.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HJR21, As Introduced: a negative impact of (\$85,275) through the biennium ending August 31, 2005.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2004	(\$85,275)
2005	\$0
2006	(\$2,699,000)
2007	(\$2,861,000)
2008	(\$3,033,000)

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from GENERAL REVENUE FUND 1	Probable Savings/(Cost) from FOUNDATION SCHOOL FUND 193	Probable Revenue Gain/ (Loss) from School Districts
2004	(\$85,275)	\$0	\$0
2005	\$0	\$0	(\$2,699,000)
2006	\$0	(\$2,699,000)	(\$162,000)
2007	\$0	(\$2,861,000)	(\$172,000)
2008	\$0	(\$3,033,000)	(\$182,000)

Fiscal Analysis

This resolution would propose a constitutional amendment to extend the current school property tax limitation ("tax freeze") for residence homesteads to disabled persons.

The proposed amendment would be submitted to the voters at an election to be held November 4, 2003. The amendment would take effect beginning with the 2004 tax year.

## **Methodology**

Section 403.302 of the Government Code requires the Comptroller to conduct a property value study to determine the total taxable value for each school district. Total taxable value is an element in the state's school funding formula. Passage of this resolution could cause a change in school district taxable values reported to the Commissioner of Education by the Comptroller and an increase in state costs to the Foundation School Fund.

Adoption of the proposed amendment would extend the school district tax ceiling on homesteads of the elderly (tax freeze) to the disabled. The fiscal impact is based on information reported by school districts to the Comptroller's office. The base year for the proposed disabled freeze would be tax year 2003. The first freeze loss would occur in tax year 2004 (fiscal 2005).

The historical value lost to the school district 65-and-over tax freeze was trended over the projection period. The reported number of disabled exemptions was compared to the number of 65-and-over exemptions to develop a percentage of disabled to 65-and-over exemptions. That percentage was multiplied by the projected value lost to the 65-and-over tax freeze to derive the estimated loss to the disabled tax freeze, as if the disabled tax freeze had always been available under current law. This hypothetical disabled tax freeze was trended upward over the projection. Each year's incremental loss to the disabled tax freeze was estimated by subtracting each year's projected loss from the next year's projected loss.

The incremental losses to the disabled freeze represent the school district value loss. The weighted average school tax rate was applied to the incremental loss to the disabled tax freeze to estimate the school district loss. School district losses are absorbed by the state after a one-year lag, through the operation of the school funding formulas.

The cost to the state for publication of the resolution is \$85,275.

## **Local Government Impact**

The impact to units of local government is shown in the above tables.

**Source Agencies:** 304 Comptroller Of Public Accounts

**LBB Staff:** JK, JO, SD, WP, DLBe

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**TAX/FEE EQUITY NOTE**

**78TH LEGISLATIVE REGULAR SESSION**

**February 21, 2003**

**TO:** Honorable Fred Hill, Chair, House Committee on Local Government Ways and Means

**FROM:** John Keel, Director, Legislative Budget Board

**IN RE: HJR21** by Hamric (Proposing a constitutional amendment to prohibit an increase in the total amount of school district ad valorem taxes that may be imposed on the residence homestead of a disabled person.), **As Introduced**

Because the bill would not create or impact a state tax or fee, no comment from this office is required by the rules of the House as to the general effects of the proposal on the distribution of tax and fee burdens among individuals and businesses.

**Source Agencies:**

**LBB Staff:** JK, SJS

ADOPTED

MAY 27 2003

*Antony Spaw*  
Secretary of the Senate

*JC*  
*DA*

FLOOR AMENDMENT NO. 1

BY:

*Nanci Peltz*

- 1 ✓ Amend H.J.R. No. 21 in SECTION 3 of the joint resolution (Senate committee printing,  
2 page 1, line 53), by striking "November 4" and inserting "September 13<sup>th</sup>")  
3

# SENATE AMENDMENTS

2<sup>nd</sup> Printing

03 MAY 27 PM 7: 05

HOUSE OF REPRESENTATIVES

By: Hamric, Wohlgemuth, Menendez

H.J.R. No. 21

## A JOINT RESOLUTION

1 proposing a constitutional amendment to prohibit an increase in the  
2 total amount of school district ad valorem taxes that may be imposed  
3 on the residence homestead of a disabled person.

4 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 1-b(d), Article VIII, Texas  
6 Constitution, is amended to read as follows:

7 (d) Except as otherwise provided by this subsection, if a  
8 person receives a ~~the~~ residence homestead exemption prescribed by  
9 Subsection (c) of this section for homesteads of persons who are  
10 sixty-five (65) years of age or older or who are disabled, the total  
11 amount of ad valorem taxes imposed on that homestead for general  
12 elementary and secondary public school purposes may not be  
13 increased while it remains the residence homestead of that person  
14 or that person's spouse who receives the exemption. If a person  
15 sixty-five (65) years of age or older dies in a year in which the  
16 person received the exemption, the total amount of ad valorem taxes  
17 imposed on the homestead for general elementary and secondary  
18 public school purposes may not be increased while it remains the  
19 residence homestead of that person's surviving spouse if the spouse  
20 is fifty-five (55) years of age or older at the time of the person's  
21 death, subject to any exceptions provided by general law. The  
22 legislature, by general law, may provide for the transfer of all or  
23 a proportionate amount of a limitation provided by this subsection  
24 for a person who qualifies for the limitation and establishes a

1 different residence homestead. However, taxes otherwise limited by  
2 this subsection may be increased to the extent the value of the  
3 homestead is increased by improvements other than repairs or  
4 improvements made to comply with governmental requirements and  
5 except as may be consistent with the transfer of a limitation under  
6 this subsection. For a residence homestead subject to the  
7 limitation provided by this subsection in the 1996 tax year or an  
8 earlier tax year, the legislature shall provide for a reduction in  
9 the amount of the limitation for the 1997 tax year and subsequent  
10 tax years in an amount equal to \$10,000 multiplied by the 1997 tax  
11 rate for general elementary and secondary public school purposes  
12 applicable to the residence homestead.

13 SECTION 2. The following temporary provision is added to  
14 the Texas Constitution:

15 TEMPORARY PROVISION. (a) This temporary provision applies to  
16 the constitutional amendment proposed by H.J.R. No. 21, 78th  
17 Legislature, Regular Session, 2003, and expires January 2, 2004.

18 (b) The amendment to Section 1-b(d), Article VIII, of this  
19 constitution takes effect beginning with the tax year that begins  
20 January 1, 2004.

21 SECTION 3. This proposed constitutional amendment shall be  
22 submitted to the voters at an election to be held November 4, 2003.  
23 The ballot shall be printed to permit voting for or against the  
24 proposition: "The constitutional amendment to prohibit an  
25 increase in the total amount of school district ad valorem taxes  
26 that may be imposed on the residence homestead of a disabled  
27 person."

# ADOPTED

MAY 27 2003

*Letay Spaul*  
Secretary of the Senate

FLOOR AMENDMENT NO. 1

BY: *Nanci Peltz*

1 Amend H.J.R. No. 21 in SECTION 3 of the joint resolution (Senate committee printing,  
2 page 1, line 53), by striking "November 4" and inserting "September 13."  
3

3

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION**

**May 7, 2003**

**TO:** Honorable Teel Bivins, Chair, Senate Committee on Finance

**FROM:** John Keel, Director, Legislative Budget Board

**IN RE: HJR21** by Hamric (Proposing a constitutional amendment to prohibit an increase in the total amount of school district ad valorem taxes that may be imposed on the residence homestead of a disabled person.), **As Engrossed**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HJR21, As Engrossed: a negative impact of (\$85,275) through the biennium ending August 31, 2005.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

**General Revenue-Related Funds, Five-Year Impact:**

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2004	(\$85,275)
2005	\$0
2006	(\$2,699,000)
2007	(\$2,861,000)
2008	(\$3,033,000)

**All Funds, Five-Year Impact:**

Fiscal Year	Probable Savings/(Cost) from GENERAL REVENUE FUND 1	Probable Savings/(Cost) from FOUNDATION SCHOOL FUND 193	Probable Revenue Gain/ (Loss) from School Districts
2004	(\$85,275)	\$0	\$0
2005	\$0	\$0	(\$2,699,000)
2006	\$0	(\$2,699,000)	(\$162,000)
2007	\$0	(\$2,861,000)	(\$172,000)
2008	\$0	(\$3,033,000)	(\$182,000)

**Fiscal Analysis**

This resolution would propose a constitutional amendment to extend the current school property tax limitation ("tax freeze") for residence homesteads to disabled persons.

The proposed amendment would be submitted to the voters at an election to be held November 4, 2003. The amendment would take effect beginning with the 2004 tax year.

## **Methodology**

Section 403.302 of the Government Code requires the Comptroller to conduct a property value study to determine the total taxable value for each school district. Total taxable value is an element in the state's school funding formula. Passage of this resolution could cause a change in school district taxable values reported to the Commissioner of Education by the Comptroller and an increase in state costs to the Foundation School Fund.

Adoption of the proposed amendment would extend the school district tax ceiling on homesteads of the elderly (tax freeze) to the disabled. The fiscal impact is based on information reported by school districts to the Comptroller's office. The base year for the proposed disabled freeze would be tax year 2003. The first freeze loss would occur in tax year 2004 (fiscal 2005).

The historical value lost to the school district 65-and-over tax freeze was trended over the projection period. The reported number of disabled exemptions was compared to the number of 65-and-over exemptions to develop a percentage of disabled to 65-and-over exemptions. That percentage was multiplied by the projected value lost to the 65-and-over tax freeze to derive the estimated loss to the disabled tax freeze, as if the disabled tax freeze had always been available under current law. This hypothetical disabled tax freeze was trended upward over the projection. Each year's incremental loss to the disabled tax freeze was estimated by subtracting each year's projected loss from the next year's projected loss.

The incremental losses to the disabled freeze represent the school district value loss. The weighted average school tax rate was applied to the incremental loss to the disabled tax freeze to estimate the school district loss. School district losses are absorbed by the state after a one-year lag, through the operation of the school funding formulas.

The cost to the state for publication of the resolution is \$85,275.

## **Local Government Impact**

The impact to units of local government is shown in the above tables.

**Source Agencies:** 304 Comptroller of Public Accounts

**LBB Staff:** JK, JO, SD, WP, DLBe

LEGISLATIVE BUDGET BOARD  
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

March 12, 2003

TO: Honorable Fred Hill, Chair, House Committee on Local Government Ways and Means

FROM: John Keel, Director, Legislative Budget Board

IN RE: **HJR21** by Hamric (Proposing a constitutional amendment to prohibit an increase in the total amount of school district ad valorem taxes that may be imposed on the residence homestead of a disabled person.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HJR21, As Introduced: a negative impact of (\$85,275) through the biennium ending August 31, 2005.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2004	(\$85,275)
2005	\$0
2006	(\$2,699,000)
2007	(\$2,861,000)
2008	(\$3,033,000)

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from GENERAL REVENUE FUND 1	Probable Savings/(Cost) from FOUNDATION SCHOOL FUND 193	Probable Revenue Gain/ (Loss) from School Districts
2004	(\$85,275)	\$0	\$0
2005	\$0	\$0	(\$2,699,000)
2006	\$0	(\$2,699,000)	(\$162,000)
2007	\$0	(\$2,861,000)	(\$172,000)
2008	\$0	(\$3,033,000)	(\$182,000)

Fiscal Analysis

This resolution would propose a constitutional amendment to extend the current school property tax limitation ("tax freeze") for residence homesteads to disabled persons.

The proposed amendment would be submitted to the voters at an election to be held November 4, 2003. The amendment would take effect beginning with the 2004 tax year.

## Methodology

Section 403.302 of the Government Code requires the Comptroller to conduct a property value study to determine the total taxable value for each school district. Total taxable value is an element in the state's school funding formula. Passage of this resolution could cause a change in school district taxable values reported to the Commissioner of Education by the Comptroller and an increase in state costs to the Foundation School Fund.

Adoption of the proposed amendment would extend the school district tax ceiling on homesteads of the elderly (tax freeze) to the disabled. The fiscal impact is based on information reported by school districts to the Comptroller's office. The base year for the proposed disabled freeze would be tax year 2003. The first freeze loss would occur in tax year 2004 (fiscal 2005).

The historical value lost to the school district 65-and-over tax freeze was trended over the projection period. The reported number of disabled exemptions was compared to the number of 65-and-over exemptions to develop a percentage of disabled to 65-and-over exemptions. That percentage was multiplied by the projected value lost to the 65-and-over tax freeze to derive the estimated loss to the disabled tax freeze, as if the disabled tax freeze had always been available under current law. This hypothetical disabled tax freeze was trended upward over the projection. Each year's incremental loss to the disabled tax freeze was estimated by subtracting each year's projected loss from the next year's projected loss.

The incremental losses to the disabled freeze represent the school district value loss. The weighted average school tax rate was applied to the incremental loss to the disabled tax freeze to estimate the school district loss. School district losses are absorbed by the state after a one-year lag, through the operation of the school funding formulas.

The cost to the state for publication of the resolution is \$85,275.

## Local Government Impact

The impact to units of local government is shown in the above tables.

**Source Agencies:** 304 Comptroller Of Public Accounts

**LBB Staff:** JK, JO, SD, WP, DLBe

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**TAX/FEE EQUITY NOTE**

**78TH LEGISLATIVE REGULAR SESSION**

**February 21, 2003**

**TO:** Honorable Fred Hill, Chair, House Committee on Local Government Ways and Means

**FROM:** John Keel, Director, Legislative Budget Board

**IN RE: HJR21** by Hamric (Proposing a constitutional amendment to prohibit an increase in the total amount of school district ad valorem taxes that may be imposed on the residence homestead of a disabled person.), **As Introduced**

Because the bill would not create or impact a state tax or fee, no comment from this office is required by the rules of the House as to the general effects of the proposal on the distribution of tax and fee burdens among individuals and businesses.

**Source Agencies:**

**LBB Staff:** JK, SJS

5

**ENROLLED**

H.J.R. No. 21

A JOINT RESOLUTION

1 proposing a constitutional amendment to prohibit an increase in the  
2 total amount of school district ad valorem taxes that may be imposed  
3 on the residence homestead of a disabled person.

4 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 1-b(d), Article VIII, Texas  
6 Constitution, is amended to read as follows:

7 (d) Except as otherwise provided by this subsection, if a  
8 person receives a ~~[the]~~ residence homestead exemption prescribed by  
9 Subsection (c) of this section for homesteads of persons who are  
10 sixty-five (65) years of age or older or who are disabled, the total  
11 amount of ad valorem taxes imposed on that homestead for general  
12 elementary and secondary public school purposes may not be  
13 increased while it remains the residence homestead of that person  
14 or that person's spouse who receives the exemption. If a person  
15 sixty-five (65) years of age or older dies in a year in which the  
16 person received the exemption, the total amount of ad valorem taxes  
17 imposed on the homestead for general elementary and secondary  
18 public school purposes may not be increased while it remains the  
19 residence homestead of that person's surviving spouse if the spouse  
20 is fifty-five (55) years of age or older at the time of the person's  
21 death, subject to any exceptions provided by general law. The  
22 legislature, by general law, may provide for the transfer of all or  
23 a proportionate amount of a limitation provided by this subsection  
24 for a person who qualifies for the limitation and establishes a

1 different residence homestead. However, taxes otherwise limited by  
2 this subsection may be increased to the extent the value of the  
3 homestead is increased by improvements other than repairs or  
4 improvements made to comply with governmental requirements and  
5 except as may be consistent with the transfer of a limitation under  
6 this subsection. For a residence homestead subject to the  
7 limitation provided by this subsection in the 1996 tax year or an  
8 earlier tax year, the legislature shall provide for a reduction in  
9 the amount of the limitation for the 1997 tax year and subsequent  
10 tax years in an amount equal to \$10,000 multiplied by the 1997 tax  
11 rate for general elementary and secondary public school purposes  
12 applicable to the residence homestead.

13 SECTION 2. The following temporary provision is added to  
14 the Texas Constitution:

15 TEMPORARY PROVISION. (a) This temporary provision applies to  
16 the constitutional amendment proposed by H.J.R. No. 21, 78th  
17 Legislature, Regular Session, 2003, and expires January 2, 2004.

18 (b) The amendment to Section 1-b(d), Article VIII, of this  
19 constitution takes effect beginning with the tax year that begins  
20 January 1, 2004.

21 SECTION 3. This proposed constitutional amendment shall be  
22 submitted to the voters at an election to be held September 13,  
23 2003. The ballot shall be printed to permit voting for or against  
24 the proposition: "The constitutional amendment to prohibit an  
25 increase in the total amount of school district ad valorem taxes  
26 that may be imposed on the residence homestead of a disabled  
27 person."

H.J.R. No. 21

---

President of the Senate

---

Speaker of the House

I certify that H.J.R. No. 21 was passed by the House on April 29, 2003, by the following vote: Yeas 141, Nays 0, 2 present, not voting; and that the House concurred in Senate amendments to H.J.R. No. 21 on May 29, 2003, by the following vote: Yeas 140, Nays 0, 2 present, not voting.

---

Chief Clerk of the House

H.J.R. No. 21

I certify that H.J.R. No. 21 was passed by the Senate, with amendments, on May 27, 2003, by the following vote: Yeas 31, Nays 0.

---

Secretary of the Senate

RECEIVED:

---

Date

---

Secretary of State

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I certify that H.J.R. No. 21<sup>(1)</sup> was passed by the House  
on April 29<sup>(2)</sup>, 2003, by the following vote:  
Yeas 141<sup>(3)</sup>, Nays 0<sup>(4)</sup>, 2 present, not voting;  
and that the House concurred in Senate amendments to H.J.R. No. 21  
on May 29<sup>(5)</sup>, 2003, by the following  
vote: Yeas 140<sup>(6)</sup>, Nays 0<sup>(7)</sup>, 2 present, not voting.

\_\_\_\_\_  
Chief Clerk of the House

\*\*\*\* Preparation: CT19;

I certify that H.J.R. No. 21<sup>(1)</sup> was passed by the Senate, with  
amendments, on May 27<sup>(2)</sup>, 2003, by the following  
vote: Yeas 31<sup>(3)</sup>, Nays 0<sup>(4)</sup>.

\_\_\_\_\_  
Secretary of the Senate

RECEIVED:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Secretary of State

\*\*\*\* Preparation: CT20;

78TH LEGISLATURE

COAUTHOR AUTHORIZATION

(please request your coauthors to sign this form  
in lieu of the front or the back of the original bill)

Bill or Resolution Number: HJR 21

Peggy Hamric  
signature of primary author

Peggy Hamric  
printed name of primary author

11/18/2002  
Date

PERMISSION TO SIGN HJR 21 HAS BEEN GIVEN TO (check only one of the following):  
(bill or resolution #)  
☒ ALL REPRESENTATIVES  
☐ THE FOLLOWING REPRESENTATIVE(S): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I authorize the Chief Clerk to include my name as a coauthor of the legislation indicated above:

<u>A2115 Allen</u>	<u>                    </u> Date	<u>A2450 Cook, Byron</u>	<u>                    </u> Date	<u>A2795 Farabee</u>	<u>                    </u> Date
<u>A2125 Alonzo</u>	<u>                    </u> Date	<u>A2565 Cook, Robert "Robby"</u>	<u>                    </u> Date	<u>A2810 Farrar</u>	<u>                    </u> Date
<u>A2160 Bailey</u>	<u>                    </u> Date	<u>A2595 Corte</u>	<u>                    </u> Date	<u>A2840 Flores</u>	<u>                    </u> Date
<u>A2170 Baxter</u>	<u>                    </u> Date	<u>A2605 Crabb</u>	<u>                    </u> Date	<u>A2850 Flynn</u>	<u>                    </u> Date
<u>A2205 Berman</u>	<u>                    </u> Date	<u>A2610 Craddick</u>	<u>                    </u> Date	<u>A2920 Gallego</u>	<u>                    </u> Date
<u>A2230 Bohac</u>	<u>                    </u> Date	<u>A2640 Crownover</u>	<u>                    </u> Date	<u>A2925 Garza</u>	<u>                    </u> Date
<u>A2250 Bonnen</u>	<u>                    </u> Date	<u>A2620 Davis, John</u>	<u>                    </u> Date	<u>A2960 Gattis</u>	<u>                    </u> Date
<u>A2280 Branch</u>	<u>                    </u> Date	<u>A2625 Davis, Yvonne</u>	<u>                    </u> Date	<u>A2945 Geren</u>	<u>                    </u> Date
<u>A2265 Brown, Betty</u>	<u>                    </u> Date	<u>A2635 Dawson</u>	<u>                    </u> Date	<u>A2935 Giddings</u>	<u>                    </u> Date
<u>A2270 Brown, Fred</u>	<u>                    </u> Date	<u>A2680 Delisi</u>	<u>                    </u> Date	<u>A2985 Goodman</u>	<u>                    </u> Date
<u>A2255 Burnam</u>	<u>                    </u> Date	<u>A3385 Denny</u>	<u>                    </u> Date	<u>A2990 Goolsby</u>	<u>                    </u> Date
<u>A2295 Callegari</u>	<u>                    </u> Date	<u>A2690 Deshotel</u>	<u>                    </u> Date	<u>A3010 Griggs</u>	<u>                    </u> Date
<u>A2290 Campbell</u>	<u>                    </u> Date	<u>A2705 Driver</u>	<u>                    </u> Date	<u>A3020 Grusendorf</u>	<u>                    </u> Date
<u>A2350 Canales</u>	<u>                    </u> Date	<u>A2665 Dukes</u>	<u>                    </u> Date	<u>A3045 Guillen</u>	<u>                    </u> Date
<u>A2300 Capelo</u>	<u>                    </u> Date	<u>A2660 Dunnam</u>	<u>                    </u> Date	<u>A3030 Gutierrez</u>	<u>                    </u> Date
<u>A2490 Casteel</u>	<u>                    </u> Date	<u>A2650 Dutton</u>	<u>                    </u> Date	<u>A3035 Haggerty</u>	<u>                    </u> Date
<u>A2495 Castro</u>	<u>                    </u> Date	<u>A2770 Edwards</u>	<u>                    </u> Date	<u>A3050 Hamilton</u>	<u>                    </u> Date
<u>A2585 Chavez</u>	<u>                    </u> Date	<u>A2775 Eiland</u>	<u>                    </u> Date	<u>A2695 Hamric</u>	<u>                    </u> Date
<u>A2480 Chisum</u>	<u>                    </u> Date	<u>A2780 Eissler</u>	<u>                    </u> Date	<u>A3160 Hardcastle</u>	<u>                    </u> Date
<u>A2525 Christian</u>	<u>                    </u> Date	<u>A2785 Elkins</u>	<u>                    </u> Date	<u>A3165 Harper-Brown</u>	<u>                    </u> Date
<u>A2435 Coleman</u>	<u>                    </u> Date	<u>A2790 Ellis</u>	<u>                    </u> Date	<u>A3170 Hartnett</u>	<u>                    </u> Date

A3180 Heflin	Date	A3715 Madden	Date	A4250 Ritter	Date
A3190 Hegar	Date	A3750 Marchant	Date	A4270 Rodriguez	Date
A3250 Hilderbran	Date	A2835 Martinez Fischer	Date	A4350 Rose	Date
A3275 Hill	Date	A3665 McCall	Date	A4420 Seaman	Date
A3305 Hochberg	Date	A3650 McClendon	Date	A4525 Smith, Todd	Date
A3290 Hodge	Date	A3845 McReynolds	Date	A4540 Smith, Wayne	Date
A3325 Homer	Date	A3830 Menendez	Date	A4530 Smithee	Date
A3320 Hope	Date	A3815 Mercer	Date	A4550 Solis	Date
A3330 Hopson	Date	A3840 Merritt	Date	A4505 Solomons	Date
A3315 Howard	Date	A3835 Miller	Date	A4560 Stick	Date
A3340 Hughes	Date	A3855 Moreno, Joe	Date	A4570 Swinford	Date
A3355 Hunter	Date	A3860 Moreno, Paul	Date	A4585 Talton	Date
A3360 Hupp	Date	A3870 Morrison	Date	A4600 Taylor	Date
A3375 Isett	Date	A3865 Mowery	Date	A4605 Telford	Date
A3405 Jones, Delwin	Date	A3885 Naishtat	Date	A4630 Thompson	Date
A3420 Jones, Elizabeth	Date	A3895 Nixon	Date	A4650 Truitt	Date
A3400 Jones, Jesse	Date	A3900 Noriega	Date	A4685 Turner	Date
A3475 Keel	Date	A3880 Oliveira	Date	A4695 Uresti	Date
A3410 Keffer, Bill	Date	A3886 Olivo	Date	A4700 Van Arsdale	Date
A3480 Keffer, Jim	Date	A4100 Paxton	Date	A4800 Villarreal	Date
A3470 King	Date	A4140 Pena	Date	A4995 West	Date
A3495 Kolkhorst	Date	A4180 Pickett	Date	A5000 Wilson	Date
A3485 Krusec	Date	A4185 Pitts	Date	A5020 Wise	Date
A3450 Kuempel	Date	A4200 Puente	Date	A5015 Wohlgemuth	Date
A3510 Laney	Date	A4230 Quintanilla	Date	A4980 Wolens	Date
A3540 Laubenberg	Date	A4240 Rangel	Date	A4985 Wong	Date
A3605 Lewis	Date	A4215 Raymond	Date	A5005 Woolley	Date
A3620 Luna	Date	A4236 Reyna	Date	A5150 Zedler	Date
A3700 Mabry	Date	A4220 Riddle	Date	<del>A2700</del> District 62 A4160	Date

JOINT AUTHOR AUTHORIZATION

As primary author of HR 21 I hereby authorize the following joint author(s):  
(bill or resolution #)

Arlene Wohlgenuth  
printed name of joint author #1

Arlene Wohlgenuth  
signature of joint author #1

04-02-03

Jose Menendez  
printed name of joint author #2

Jose Menendez  
signature of joint author #2

04-02-03

\_\_\_\_\_  
printed name of joint author #3

\_\_\_\_\_  
signature of joint author #3

\_\_\_\_\_  
printed name of joint author #4

\_\_\_\_\_  
signature of joint author #4

Peggy Harris  
signature of primary author

4-02-03  
date

H.J.R. No. 21

By

Peggy Harris

**proposing a constitutional amendment to prohibit an increase in the total amount of school district ad valorem taxes that may be imposed on the residence homestead of a disabled person.**

NOV 18 2002      Filed with the Chief Clerk

**FEB 10 2003**

Read first time and referred to Committee on

MAR 28 2003

Reported favorably (b)(7)(C)

APR 01 2003

**Sent to Committee on Calendars**

APR 29 2003

Read second time ( ) and adopted ( ) by a  
record vote of 141 yeas, 8 nays, 2 present, not voting

Read third time (amended) and finally adopted (failed of adoption) by a  
record vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting

APR 30 2003

Engrossed

APR 30 2003

## Sent to Senate

Robert Haney  
CHIEF CLERK OF THE HOUSE

CHIEF CLERK OF THE HOUSE

**OTHER HOUSE ACTION:**

~~APR 30 2003~~

Received from the House

**MAY 07 2003**

Read and referred to Committee on

## FINANCE

MAY 23 2003

Reported favorably

Reported adversely, with favorable Committee Substitute; Committee Substitute read first time

Ordered not printed

### Laid before the Senate

MAY 27 2003

Senate and Constitutional Rules to permit consideration suspended by unanimous consent  
~~(yeas, nays)~~

MAY 27 2003

Read second time, amended, and passed to third reading by (unanimous consent)  
(a viva voce vote)  
(~~—~~ yeas: nays)

MAY 27 2003

Senate and Constitutional 3 Day Rules suspended by a vote of 31 yeas, 0 nays

MAY 27 2003

Read third time, \_\_\_\_\_, and passed by 31 years, 0 days

May 27, 2003

## Returned to the House

*Latoré Spaw*  
SECRETARY OF THE SENATE

SECRETARY OF THE SENATE

**OTHER SENATE ACTION:**

MAY 27 2003

Returned from the Senate (with amendments)

MAY 29 2003

House concurred in Senate amendments by a (non-record vote)  
(record vote of 140 yeas, 0 nays, 2 present, not voting)

House refused to concur in Senate amendments and requested the appointment of a conference committee  
by a (non-record vote) (record vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting)

House conferees appointed: \_\_\_\_\_, Chair; \_\_\_\_\_,

Senate granted House request. Senate conferees appointed: \_\_\_\_\_, Chair;

Conference committee report adopted (rejected) by the House by a record vote of  
\_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting

Conference committee report adopted (rejected) by the Senate by a record vote of  
\_\_\_\_\_ yeas, \_\_\_\_\_ nays

03 MAY 27 PM 7:05  
HOUSE OF REPRESENTATIVES OF THE STATE OF TEXAS